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MERCHANTS CREDIT CORPORATION

UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA
SANTA ANA

In re:

THE LITIGATION PRACTICE GROUP P.C.,
Debtor.

Case No. 8:23-bk-10571-SC

Chapter 11

**SECOND STIPULATION BETWEEN
MERCHANTS CREDIT CORPORATION
AND TRUSTEE TO CONTINUE
HEARING ON MERCHANTS' MOTION
FOR RELIEF FROM STAY**

Current Hearing Date: February 7, 2024
Continued Hearing Date: March 6, 2024
Time: 1:30 p.m.
Place: Courtroom 5C
411 West Fourth Street
Santa Ana, CA 92701

Moving party Merchants Credit Corporation ("Movant") and Richard A. Marshack, in his capacity as the chapter 11 trustee of The Litigation Practice Group P.C. (the "Trustee" and, together with Movant, the "Parties"), stipulate and agree as follows (the "Stipulation").

RECITALS

A. On March 20, 2023 (the "Petition Date"), The Litigation Practice Group P.C. (the "Debtor"), filed a voluntary petition under chapter 11 of title 11 of the United States Code, 11 U.S.C. §§ 101 et seq. (the "Bankruptcy Code") in the United States Bankruptcy Court for the Central District of California (the "Court"), commencing the above-captioned bankruptcy case (the "Bankruptcy Case").

1 B. On May 8, 2023, the Court entered an order [Docket No. 65] approving the appointment
2 of the Trustee.

3 C. On December 15, 2023, Movant filed its Motion for Relief from Stay to allow separate
4 action to proceed in non-bankruptcy forum, i.e., the Washington state court of appeals ["Motion";
5 Docket No. 767], with hearing noticed for 1/17/2024 at 01:30 PM in this Court.

6 D. On January 3, 2024, Trustee filed papers in Opposition to the Motion at Docket Nos.
7 809-810.

8 E. On January 8, 2024, Movant and Trustee commenced discussions of a possible
9 resolution of issues raised by the Motion. To allow the Parties time to discuss and possibly complete
10 negotiations for a resolution of issues raised by the Motion, the Parties filed a Stipulation on 1/10/2024
11 [Dkt. No. 827] affirming that it was in their respective best interests to agree to a continuance of the
12 January 17, 2024 hearing date on the Motion, which Stipulation was approved by the Court on
13 1/11/2024 [Dkt. No. 840].

14 F. Movant and Trustee continue to discuss a possible resolution of issues raised by the
15 Motion. To allow the Parties further time to discuss and possibly complete negotiations for a resolution
16 of issues raised by the Motion, the Parties agree that it is in their respective best interests to agree to a
17 continuance of the February 7, 2024 hearing date on the Motion to March 6, 2024 (or to such other
18 later date that is convenient for the Court).

19
20 **STIPULATION**

21 NOW, THEREFORE, based on the foregoing, the Parties agree and stipulate as follows:

- 22 1. The Parties restate and incorporate the foregoing Recitals set forth above.
- 23 2. The hearing date on the pending Motion shall be continued from 1:30 PM on
24 Wednesday February 7, 2024 to Wednesday March 6, 2024 (or to such other date and time that is
25 convenient for the Court).
- 26 3. Movant's reply in support of the Motion is and shall be due based on the new hearing
27 date to be set by the Court.
- 28 4. Notwithstanding anything to the contrary contained herein, this Stipulation is without

1 prejudice to further requests for an extension of the deadlines set forth in this Stipulation.

2 DATED this 29th day of January 2024.

3 **DINSMORE & SHOHL LLP**

HINSHAW & CULBERTSON LLP

4
5 By: 

By: 

6 Tyler Powell (Ky. Bar No. 90520)
7 Admitted pro hac vice
8 100 West Main Street, Suite 900
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PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:

HINSHAW & CULBERTSON LLP
350 S. Grand Avenue, Suite 3600
Los Angeles, California 90071

A true and correct copy of the foregoing document entitled (*specify*): **SECOND STIPULATION BETWEEN MERCHANTS CREDIT CORPORATION AND TRUSTEE TO CONTINUE HEARING ON MERCHANTS' MOTION FOR RELIEF FROM STAY** will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On January 29, 2024, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

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Special Counsel to Richard A. Marshack, Chapter 11 Trustee

Tyler Powell

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☒ Service information continued on attached page

2. SERVED BY UNITED STATES MAIL:

On _____, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on January 29, 2024, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

JUDGE'S COPY - VIA UPS

Honorable Scott C. Clarkson
United States Bankruptcy Court, Central District of California
Ronald Reagan Federal Building and Courthouse
411 West Fourth Street, Suite 5130 / Courtroom 5C
Santa Ana, CA 92701-4593

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

January 29, 2024

Date

Robin Mojica

Printed Name

/s/Robin Mojica

Signature

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